

REMARKS

The last Office Action has been carefully considered.

Claim 13 is objected to due to grammatical informality of the recitation “the damping disk (54) has a surface is not circular” in the claim.

Claims 1-7 and 12-24 are rejected under 35 U.S.C § 112, first paragraph, due to lack of enablement in Claim 1 at the recitation “the hydraulic damping occurs only in a subrange of motion (62),” and dependence of Claims 2-7 and 12-24 on Claim 1; and in Claims 22-23 in claiming an undisclosed valve embodiment that possesses both a damping disk and a damping diaphragm.

Claims 2, 12, 19-20, and 22-24 are rejected under 35 U.S.C § 112, second paragraph, due to lack of antecedents for several recitations listed in the Office Action.

Claims 1-2, 12-13, and 24 are rejected under 35 U.S.C § 102(b) as being anticipated by Rapp et al. (U.S. Pat. No. 6,062,531).

Claims 4-5 are rejected under 35 U.S.C § 103(a) as being unpatentable over Rapp et al. in view of Gaskell (U.S. Pat. No. 4,889,288).

Claims 6-7 are rejected under 35 U.S.C § 103(a) as being unpatentable over Rapp et al. in view of Gaskell and further in view of Yang et al. (U.S. Pat. No. 6,572,074).

Claims 13-15 are rejected under 35 U.S.C § 103(a) as being unpatentable over Rapp et al. in view of Volcov et al. (U.S. Pat. No. 2,868,492).

Claims 16-18 are rejected under 35 U.S.C § 103(a) as being unpatentable over Rapp et al. in view of Masaji et al. (JP 58028079 A).

Claim 19-21 are rejected under 35 U.S.C § 103(a) as being unpatentable over Rapp et al. in view of Masaji et al. and further in view of Volcov et al.

Claim 22 is rejected under 35 U.S.C § 103(a) as being unpatentable over Rapp et al. in view of Hess (U.S. Pat. App. Pub. No. 2004/0155212).

Claims 1-4 are rejected under 35 U.S.C § 103(a) as being unpatentable over Yang et al.

Claims 1-7 and 12-21, and 24 are pending in the present application; with Claim 1 being the sole independent claim, and Claims 8-11 and 22-23 being withdrawn without prejudice.

Claims 1-5, 13, 16, 19-20, and 24 are amended. No new subject matter is presented.

Regarding the objection to Claim 13, the above amendments are believed to overcome the objection.

Regarding the rejection of Claims 1-7 and 12-24 under 35 U.S.C § 112, first paragraph, the above amendments are believed to overcome the rejection.

Regarding the rejection of Claims 2, 12, 19-20, and 22-24 under 35 U.S.C § 112, second paragraph, the above amendments are believed to overcome the rejection.

Regarding the rejection of Claim 1 under 35 U.S.C § 102(b), the Examiner states that Rapp et al. anticipates each and every limitation of the claim. Rapp et al. discloses a pulse valve 1 with a closing body 25 that cooperates with a valve seat 21 to open and close a supply and discharge channel 16 (Abstract; FIG. 1). The reciprocating motion of the closing body 25 is hydraulically damped when the projection 51 engages the damping cylinder 50 (col. 4 lines 3-33; FIG. 2). The pulse valve of Rapp et al. has no damping disk moving inside the damping

cylinder 50. By contrast, in the present application, hydraulic damping occurs the damping disk with the damping disk 54 moving inside the damping cylinder 50 (specification page 5 line 25 through page 6 line 4; FIG. 1). Rapp et al. is silent about the limitations of *the damping disk moving inside the damping cylinder* and *of the damping disk exits the damping cylinder shortly before the closing body reaches the second switching position*, taught by Amended Claim 1.

Clearly, Amended Claim 1 structurally differs from Rapp et al.

Regarding the rejection of Claim 1 under 35 U.S.C § 103(a), the Examiner states that Yang et al. renders the claim obvious. Yang et al. discloses a pulve valve 10 with a closing body 14 connected to a rod 28 (FIG. 1). The closing body 14 is connected to a damping disk 226 via the rod 28 (FIG. 3). The reciprocating motion of the closing body 14 is pneumatically damped when the damping disk 226 moves inside the damping cylinder 256 (col. 5 lines 45-59; FIG. 3). Yang et al. discloses nowhere the damping disk exiting the damping cylinder. Yang et al. fails to disclose the limitation of *the damping disk exits the damping cylinder shortly before the closing body reaches the second switching position* taught by Amended Claim 1.

Clearly, Amended Claim 1 structurally differs from Yang et al.

In view of the preceding amendments and remarks, it is respectfully submitted that all of the pending claims, namely, Claims 1-7, 12-21 and 24, are in condition for allowance.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,

/Michael J. Striker/

Michael J. Striker
Attorney for Applicant
Reg. No. 27233